

Minnesota Olmstead Planning Subcabinet – 10/8/13 Meeting Notes (DRAFT)

Meeting Details

Date: October 8, 2013

Start/End Time: 3:00 – 4:30 p.m.

Location: DHS Anderson Building, Room 2380

Chair: Lt. Governor Yvonne Prettner Solon

Facilitator: Judy Plante, Management Analysis & Development (MAD), Minnesota Management and Budget

Subcabinet members (or alternates) in attendance: Cynthia Bauerly, Deputy Commissioner, Department of Employment and Economic Development (DEED); Ellen Benavides, Assistant Commissioner, Department of Health (MDH); Christine DuFour, Communications Director, Minnesota Department of Human Rights (MDHR); Lucinda Jesson, Commissioner, Department of Human Services (DHS); Lynnette Geschwind, Affirmative Action Manager, Minnesota Department of Transportation; Kevin Lindsey, Commissioner, MDHR; Roberta Opheim, Ombudsman for Mental Health and Developmental Disabilities (*ex officio*); Thomas Roy, Commissioner, Department of Corrections (DOC); Mary Tingerthall; Commissioner, Minnesota Housing Finance Agency (MHFA); Colleen Wieck, Executive Director, Governor's Council on Developmental Disabilities (*ex officio*); Robyn Widley, Supervisor, Interagency Partnerships Team, Department of Education (MDE).

Others in attendance (based on sign-in sheets): Heather Allyn, Grandma's Place; Brian Begin, Lifeworks; Kristie Billiar, MnDOT; Katie Bottiger, Hammer; Sean Burke, MN Disability Law Center; Ron Hendrickson, Grandma's Place; Evan Henspeter, Lifeworks; Pamela Hoopes, MN Disability Law Center; Janice Jones, MDH; M. Kennedy, ACT; Steve Larson, The Arc MN; Rebecca Melang, CSH; M.A. Mowry, DHS; Julia Parnell, MN Recovery Connection; Mimi Schafer, DEED; Jill Schewe, Care Providers of MN; David Sherwood-Gabrielson, DEED; Anni Simons, Fredrickson & Byron; Jennifer Thomas, Parent/NAMI Hennepin; Joan Wilshire, MSCOD.

Welcome, introductions, and approval of notes

Lt. Governor Prettner Solon welcomed the subcabinet and the audience to the meeting. Subcabinet members and alternates introduced themselves. The Lieutenant Governor asked members if any changes were needed in notes from the September meeting. No changes were identified.

Review October draft of Olmstead Plan

Judy Plante provided an update on the drafting process. Judy thanked the agency writing teams for all of their hard work in developing this document.

The current draft includes topic area sections on employment, transportation, housing, supports and services, lifelong learning and education, and community engagement. The drafting team made technical changes to other parts of the plan, such as adding a statement that the plan will be submitted to the federal court and adding language about periodic public meetings of the subcabinet.

The healthcare and healthy living section is still in development—the lead drafting team will send the draft to the subcabinet as soon as possible. The next draft of the plan will include a list of key definitions, and stakeholder quotes will be added to the document.

On October 22, the subcabinet will meet to give final approval to the draft plan before it goes to the court. There will be a very quick turnaround from that meeting to the final version, so if the subcabinet does not agree on certain elements in the plan, those will be removed and considered during implementation.

The subcabinet discussed the new sections of the plan. Discussion included:

General comments

- The indicators are not written consistently among the different topic areas—in some sections, they are written as the end goal, in other sections, the indicators talk about increases.
- It may be more useful to talk about increases over time rather than talk about the ultimate change—it could sound like we've set a too-lofty goal.
- Achieving these population-level outcomes will take time—the specific actions have due dates to show progress.
- There should be more specificity in measurements in the plan.
- One of the big things this plan commits us to is establishing baselines, getting good data so we can measure progress.
- Data is available—national data, agency data, as examples—but it hasn't been pulled together in an organized way.
- There are different definitions and timelines used by different data sources, which is a challenge in using existing data.
- The population-level indicators are about turning the curve in these different areas.
- There may be a need for more discussion about Results Based Accountability in the plan.
- The list of partners does not include all relevant partners—if some specific organizations will be listed, more should be added.

Employment

- The state can play a big role in reducing barriers to employment and can provide education for employers.

- The state has programs and services to help people find and keep jobs, but the state doesn't have much control over how many (or what kind of) jobs are available.
- Businesses should be added as partners to the success of the plan.
- There should be more of an emphasis on educating employers—MDHR does that in a proactive way.
- There should be a reference to the state as an employer.
- The plan can amplify what is being done and will be done in the area of employment.
- How will we know what “meaningful” employment is?
- This goes to one of the key parts of the plan: start by asking the individual.
- Question: is there a means of assessing *underemployment*. Answer: yes, DEED economists have methods.
- Definitions will be necessary in this section: interagency employment panel, employment practice review panel, transformative local partnership.

Transportation

- It would be helpful to have information on disability population by counties.
- Question: in the cross-agency coordination described on p. 29, is that intended to be all agencies? Answer: it is intended to be comprehensive. We need to have good data on funding across the state.
- There are other complex regional and local systems that will need to be brought in to this work; that is another monumental and layered task.
- Working collaboratively at the state level will allow progress on local issues, like rural transportation.
- MnDOT's role in transportation policy, including ADA/*Olmstead*, is to set the standard and then move for consistency across the state.

Housing

- Clarification needed in the document: we are talking about *numbers* of housing units.
- Part of the work here is to set clear baselines and timelines for progress; that work is tough but necessary.
- The timeline on legislative proposals in Action 3 should be adjusted.
- Question: is the timeline about the supportive housing referral system correct (October 2013)? Answer: yes, that's correct.
- Check description of Individualized Housing Options. Are we committing a specific county to do more here?

Supports and Services

- In this section in particular, specific timelines and measures are important.
- Ongoing issues and concerns: people are not given real choices (it's either this service or you're homeless), and providers can get around rules with creative workarounds.

- Some of the goals and actions described in this section are things people have been calling for and working for for years—it will be important to show change and progress.
- There is not a discussion here about the risk vs. choice dynamic.
- The legislation setting a 25% cap may be limiting choices for people.
- Question: why is there so much facility-based specificity in this section? Answer: these are extremely important issues for the Olmstead Plan.
- Community based services aren't meaningful if people are stuck in institutions.
- Other institution or institution-like settings can be evaluated during plan implementation.
- When departure from a facility is connected to a court's decision, state agencies don't have as much control over movement to the community.
- The plan and implementation should focus on the highest priorities first.

Lifelong learning and education

- Question: is there a consistent understanding of restrictive procedures? Answer: yes, it's in statute.
- MDE worked closely with DHS to develop this part of the plan; the team focused on measurements and specific actions.
- Question: is the Return on Investment Matrix using the Governor's Workforce Development Council? Answer: yes.

Community Engagement

- For person-centered training, the University of Minnesota's work should be looked to as a model—there's no need to start from scratch
- There are connections in other sections of the plan relating to person-centered training—this is a theme.
- The actions in this section will take us beyond a court decision; if we can do this and do it well, we will make real progress on community engagement and inclusion.

Action/decision: The subcabinet agreed to post this draft of the plan online. Additional edits will be made to the plan.

Financing

Judy Plante noted that the current draft plan contains a section describing financing. The subcabinet will need to make decisions about how to pay for the plan's implementation. At the last meeting, the subcabinet agreed that the ongoing governance and implementation process described in the plan was necessary, and the subcabinet requested estimates. Preliminary information was shared with the group.

Discussion included:

- These may not be the right assumptions. The estimate assumes a very formal dispute resolution procedure, for example.
- Is the comparison to MNSure appropriate?

- A less adversarial process could be better and not as costly. For example, the University of Minnesota has a grievance process.
- We should explore more options for cross-agency work, like the children's subcabinet.
- More choices and estimates will be needed.
- Subcabinet agencies have information on their own dispute process—the cost information for these processes would be helpful, and it would be helpful to know what types of complaints the agencies think may come up as the Olmstead Plan is implemented.
- We need to make sure not to duplicate work that's already underway.
- It would be helpful to have more time to review and consider this information.
- We also need to consider that the work we're doing (like providing information on avoiding restrictive practices) may *decrease* the number of complaints over time.
- We should consider what legislative changes may be needed to facilitate the subcabinet's work.

Closing comments

Lieutenant Governor Prettner Solon asked members to consider the actions in the plan and to begin looking at what legislation, waivers, etc. may be needed to implement the plan. This work is part of an overarching action for next year, but it is important to begin thinking and working on this now.

The Lieutenant Governor thanked subcabinet members for their participation, and she thanked the audience for their interest. She reminded everyone that though the Olmstead Plan is nearly complete, there will be ongoing work to implement the plan. Subcabinet members will be very involved in setting up the implementation office and monitoring the Olmstead Plan. An implementation meeting will be set in early November.

Next meeting

The next meeting of the subcabinet will be on **Tuesday, October 22, 2013** from 9:30 -10:30 a.m.in Room 123 of the State Capitol. This meeting will be held to approve final revisions to the plan.

Future public meetings will be posted online.

Notes submitted by: Beth Bibus, Management Analysis & Development, Minnesota Management & Budget